

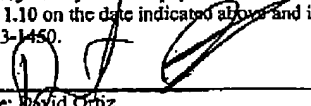
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SUGITA et al. Examiner: H Jey Tsai  
Serial No.: 10/719,412 Group Art Unit: 2812  
Filed: November 21, 2003 Docket: 10873.1333USW1  
Confirmation No.: 3355 Notice of Allow: N/A  
Date:  
Due Date: January 16, 2005  
Title: MAGNETORESISTIVE ELEMENT AND METHOD FOR PRODUCING THE SAME, AS  
WELL AS MAGNETIC HEAD, MAGNETIC MEMORY AND MAGNETIC RECORDING  
DEVICE USING THE SAME

**CERTIFICATE UNDER 37 CFR 1.10:**

"Express Mail" mailing label number: EV 495867942 US  
Date of Deposit: January 12, 2005

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:   
Name: David Ortiz

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**

PATENT TRADEMARK OFFICE

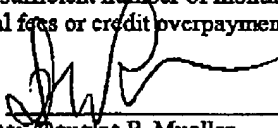
Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Supplemental Information Disclosure Statement, Form 1449, 4 Reference(s), Copy of Japanese Office Action
- ☒ Other: Copy of form PTO-892
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By:   
Name: Douglas P. Mueller  
Reg. No. 30,300  
DPM/sba

(PTO TRANSMITTAL - GENERAL)

S/N 10/719,412

PATENT

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By: 

Name: David Ortiz

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Amendment

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in a Japanese Office Action mailed November 16, 2004.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. No fee is due as this statement is submitted as certified below under 37 C.F.R. § 1.97(e)(1) or (2) by the undersigned.

Certification Under 37 C.F.R. § 1.97(e)(1)

In accordance with 37 C.F.R. § 1.97(c) or § 1.97(d), the undersigned hereby certifies that each item of information listed on the enclosed Form 1449 was first cited in a communication from

either a foreign patent office in a counterpart foreign application or in a communication from the Examiner in a co-pending application within three months of filing this statement.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. §1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. §1.98(a)(3)):

Japanese reference 11-266043 corresponds with U.S. reference 6,201,259.

Japanese reference 2000-132961 corresponds with U.S. reference 2000-132961.

Enclosed for the Examiner's information is copy of form PTO-892 and a copy of the Japanese Office Action citing references for co-pending application 10/276,966, filed February 19, 2003 and co-pending application 10/877,929, filed June 25, 2004.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

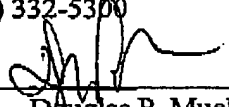
Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,



MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Dated: January 12, 2005

By:   
Douglas P. Mueller  
Reg. No. 30,300

DPM/sbd

Sheet 1 of 1

Date Mailed: January 12, 2005

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b>  (Use several sheets if necessary)	Docket Number: 10873.1333USW1	Application Number: 10/719,412
	Applicant: SUGITA et al.	
	Filing Date: November 21, 2003	Group Art Unit: 2812

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	5,603,766	02/1997	Visokay et al.				
	5,753,131	05/1998	Choukh et al.				
	6,201,259	03/2001	Sato et al.				
	6,210,818	04/2001	Saito				
	6,226,197	05/2001	Nishimura				
	2002/0126422	09/2002	Westwood				
	6,473,960	11/2002	Schwartz et al.				
	6,528,326	03/2003	Hiramoto et al.				
	6,552,882	04/2003	Hayashi				
	6,583,969	06/2003	Pinarbasi				
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	11-266043	09/1999	Japan			See IDS	
	2000-132961	05/2000	Japan			See IDS	
	00/74154	12/2000	WIPO				
	2002-204004	07/2002	Japan			Abstract	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							

**23552**

PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	